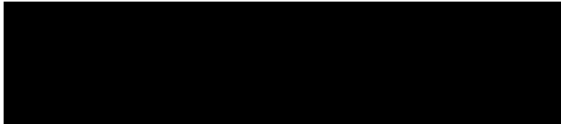




## OFFICE OF THE DISTRICT ATTORNEY, Bronx County

DARCEL D. CLARK 198 East 161st Street  
District Attorney Bronx, New York 10451

(718) 590-2000



*Pursuant to CPL § 245.20(1)(k), the People disclose the following evidence and information, including that which is known to the police or other law enforcement agencies acting on the government's behalf in the case, that tends to: (i) negate the defendant's guilty as to a charged offense; (ii) reduce the degree of or mitigate the defendant's culpability as to a charged offense; (iii) support a potential defense to a charged offense; (iv) impeach the credibility of a testifying prosecution witness; (v) undermine evidence of the defendant's identity as a perpetrator of a charged offense; (vi) provide a basis for a motion to suppress evidence; or vii) mitigate punishment:*

Probation Officer Raphael Gonzalez

- Prior Criminal Conviction:
  - o Date of conviction: 6/5/2002
  - o Bronx County Criminal Court
  - o Conviction charge: PL 265.01(1)—Criminal Possession of a Weapon in the 4<sup>th</sup> Degree

Det. Andre Smith

- Det. Smith has been named as a defendant in the following *open* lawsuits:
  - o Frederick Warfield vs. City of New York et al index no. 304401/2014
  - o Olivia Suarez vs. City of New York et al, index no. 19CV05832
- Det. Smith has been named as a defendant in the following *closed* lawsuits:
  - o Keith Brewley Jr. vs. City of New York et al, index no. 304450/2009
  - o Michael Culley Jr. vs City of New York et al, index no. 306108/2009
  - o Randy Magra vs. City of New York et al, index no. 02CIV6136
  - o Francis Pujols et al vs. City of New York et al, index no. 11CV03328
- IAB internal investigation:
  - o Date: 7/7/2007
  - o Log no. 07/25940
  - o Allegation: Fail to safeguard Prisoner Property
    - Sgt. from 44<sup>th</sup> precinct called to state that two (2) T-Mobile cell phones belonging to two (2) separate perps are missing. Sgt. Stated that PO Smith

*(tax no. 937553) was at the desk with the perps, and left the two cell phones by the desk. PO Smith then escorted the two perps to the cell area, and when he returned he noticed them missing from the desk area*

- o Disposition: Substantiated
- o Case closed on 2/20/2008
- IAB internal investigation:
  - o Date: 5/24/2001
  - o Serial number: M11-1063
  - o Allegation: TVB, no memo book' TVB memo, incomplete disposition
    - *Sgt of BX Central Booking called to report that S/O (PO Smith, tax: 937553) appeared at traffic court without memo book and was unable to testify to summons issued. Reporter states that S/O' had a copy of the summons but did not have additional notes on summons*
- IAB internal investigation
  - o Date: 7/28/2014
  - o I/A number: 13-47923
  - o Allegation: court unprepared-SAP, no memobook
  - o Disposition: substantiated
- IAB internal investigation
  - o date: 12/11/2013
  - o I/A number: 13-51524
  - o Allegation: court non appearance-traffic violations bureau
  - o Disposition: substantiated

PO Jason Baker

- IAB internal investigation
  - o Date: 6/26/2008
  - o I/A number 08-28271
  - o Allegation: failed to take/make report
    - *Det. Baker failed to take a missing property report for CV*
  - o Disposition: substantiated

PO Jamie Truglio

- Pending CCRB:
  - o Case no. 201906946
  - o Report date: 8/5/2019
  - o Allegations:
    - Abuse-entry of premises
    - Abuse-refusal to provide name
    - Abuse-threat of arrest
  - o \*no reported disposition\*
- Pending CCRB:
  - o Case no: 202001026

- o Report date: 02/7/2020
  - o Allegations:
    - Abuse-entry of premises
    - Abuse-property damaged
  - o \*no reported disposition\*
- IAB internal investigation
  - o Date: 2/11/2019
  - o IAB log no. 19-4599
  - o Allegations:
    - 1-found property in department vehicle/controlled substance
    - 2-fail to properly search vehicle/department vehicle
      - *On 2/14/19. at approximately 0100 hours, reporting officer stated in sum and substance: He was working with Police Officer and they were performing the pre-patrol inspection of their RMP when PO recovered 12 small glassine envelopes containing an unknown white powder substance, from the rear passenger side seat (between the cushion and trim of the vehicle), at approximately 2355 hours. Officer Truglio states they conducted a pre and post rmp check and they did not find any controlled substance.*
  - o Disposition: substantiated
  - o Action taken: verbal instructions
  - o Closed date: 2/14/2019
- IAB internal investigation
  - o Date: 10/24/2019
  - o IAB log no. 19-38599
  - o Allegations:
    - 1-report incomplete/inaccurate-property clerk invoice
    - 2-invoice discrepancy/bank drop, overage
      - *PO Truglio advised on 10/07/19, she prepared property clerk invoice # for safekeeping in the amount of \$42 USC. Upon deposit by Chase bank, it was discovered that \$47 USC has been deposited. PO Truglio advised that item # 2 lists (3) five dollar bills being deposited and the bank received (4) five dollar bills which resulted in the \$5 overage of what the invoice documents. PO Truglio will forward a copy of the bank receipt and deposit slip.*
  - o Overall disposition: substantiated
  - o Closed date: 11/29/2019
- IAB internal investigation
  - o Date: 10/24/2019
  - o IAB log no. 19-38709
  - o Allegation: other dept rules/procedures violation, not professional, courteous, no respect, felt threatened
  - o **\*\*UPDATED CASE STATUS: CLOSED, OVERALL DISPOSITION UNFOUNDED\*\***

- NO ACTION TAKEN
- o Date closed: 1/3/2020

PO Timothy Burke

- Internal Investigation:
  - o IAB log no 19-26303
  - o Date: 7/11/2019
  - o Allegations:
    - Invoice discrepancy-lab-marijuana
    - Report incomplete/inaccurate, property clerk invoice
      - *There was an error on the count of bags of marijuana. There were 220 marijuana bags listed on invoice but the lab found 230 bags.*
  - o Overall disposition: substantiated
  - o Closed date: 7/23/2019
- Internal Investigation:
  - o IAB log no 19-32678
  - o Date: 9/3/2019
  - o Allegations:
    - Memobok incomplete/improper
      - *Failed to prepare a memo book*
  - o Disposition: substantiated
  - o Action taken: verbal instructions
- Internal Investigation:
  - o IAB log no 19-38599
  - o Date: 10/24/2019
  - o Allegation:
    - Report incomplete/inaccurate-property clerk invoice
    - Invoice discrepancy/bank drop-overage
      - *There was an invoice discrepancy resulting in a \$5.00 overage*
  - o Disposition: substantiated
  - o Action taken: verbal instructions
  - o Closed date 11/29/2019
- CCRB:
  - o Case no. 201804152
    - Allegation: failure to prepare a memo book entry
    - Disposition: other misconduct
    - NYPD dispo/penalty: instructions
  - o Case no. 201900379
    - Allegation: discourtesy (word)
    - **\*\*NO REPORTED DISPOSITION\*\***
  - o Case no. 201904461
    - Allegations:
      - Force-nonlethal restraining device
      - Abuse-entry of premises
      - Discourtesy-word

- \*\* NO REPORTED DISPOSITION\*\*
- o Case no. 201907060
  - Allegation: abuse-entry of premises
  - \*\*NO REPORTED DISPOSITION\*\*

PO Vincent Trozzi

- Internal Investigation
  - o IAB log no 18-35531
  - o Date: 9/14/2019
  - o Allegation: missing department equipment-parking permit
  - o Disposition: information and intelligence/substantiated
  - o Action taken: verbal instructions
- Internal Investigation
  - o IAB log no. 19-35821
  - o Date: 10/2/2019
  - o Allegation: Investigate Incomplete/Improper-crime investigation
  - o Case status: pending
- CCRB:
  - o Case no: 201004366
    - Date: 4/1/2010
    - Allegation: abuse, retaliatory summons
    - Disposition: substantiated
    - Disposition/penalty: instructions
  - o Case no: 200804681
    - Date: 4/3/2008
    - Allegation:
      - physical force—substantiated
      - intentional false statement—other misconduct
- Lawsuits
  - o *Please see lawsuit information provided in NYPD lawsuit spreadsheet, which has been shared electronically via One Drive*